IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SECOND DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 3052 of 2005

Between:

A. Narayana Reddy, S/o. Bojanna,
R/o. Kowtla (B), Md. Sarangapur, Nirmal, Adilabad District.

..... PETITIONER

AND

1 The Superintending Engineer (R&B) Circle,

Karimnagar, Karimangar District.
2 The Engineer In Chief (R&B), Administration &

NABARD, Government of Andhra Pradesh,
Erramanjil, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or Direction, more particularly one in nature of Writ of MANDAMUS calling for Records pertaining to Tender Notice No. E-in-C (R&B) NABARD No. 183/2004-05 & 184/2004-05, dt. 18-1-2005 and declare the same as defective and violative of Government Orders and consequently set aside the Tenders as far as Item No. 183/2004-05 & 184/2004-05, and call for Fresh Tenders keeping in view the guide lines of the Government in so far as formation of BT Roads are concerned, in the interest of Justice and pass such other order or orders.

Counsel for the Petitioner : Mr.B.SUDHAKAR REDDY & ASSOCIATES

Counsel for the Respondents : GP FOR ROADS & BUILDINGS

The Court at admission stage made the following :

ORDER:

For not opening the technical bid of the petitioner, in pursuance of the tender notification dated 18-01-2005, the present writ petition is filed.

The grievance of the petitioner is that the technical bid has not been opened on the ground that the petitioner did not possess hot mix plant, which is not a requisite content in the tender notice. Hence he prays to set aside the same.

On the other hand, the learned Government Pleader on instructions stated that they are not going to pursue the tender notification further and the respondents intend to issue a fresh notification. The tender notification No. E-in-C(R & B)NABARD No.183/2004-05 & 184/2004-05, dated 18-1-2005 was not persuaded further for the reasons known to them. Therefore, the technical bid not only of the petitioner but also all those who applied for tenders in pursuance of notification No. E-in-C(R&B)NABARDNo.183/2004-05 & 184/2004-05, dated 18-1-2005 cannot be opened as the respondents are going to call for a fresh notification.

Recording the statement of the learned counsel for the transport, the writ petition is disposed of. No costs.

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K.C.BHANU, J.

Dt: 23-02-2005

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To

1 The Superintending Engineer (R&B) Circle,

Karimnagar, Karimangar District.

2 The Engineer In Chief (R&B), Administration &

NABARD, Government of Andhra Pradesh,
Erramanjil, Hyderabad.

3 Two copies to G.P.for Roads and Buildings,

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